

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

May 12, 1999

LB 271

resolve that to all of our satisfactions in the course of the debate this evening, but I think it is wise to reject the pending amendment because if it achieved the result that, quite frankly, I think it does now that Senator Bromm has brought it to my attention, then I don't think that's a result that we would care to have because it would actually provide for Board of Educational Lands and Funds instead of paying for schools which they do now to instead pay for potentially roads, police and fire and pay nothing for schools, just exactly the reverse of what we do now. And I, quite frankly, don't think the Board of Educational Lands and Funds would have any choice because of a fiduciary obligation to pay the least amount that they could legally and they would do that. So I am...I'm embarrassed and concerned. I'm embarrassed that I didn't think of it, Senator Bromm, and I'm concerned because I think it has the effect that you're pointing out. And I think, quite frankly, we ought to reject the amendment that is pending, advance the bill as maybe there was more wisdom in Senator Kristensen's amendment than I thought, and we should let this percolate for a year and see whether we have all of the consequences firmly in hand. But now is not the time to let the horse out of the barn. Now is to keep the barn door shut and wait another year and see what we have.

SENATOR CUDABACK: Thank you, Senator Wickersham. Senator Landis, followed by Senator Jones and Senator Kristensen. Senator Landis, on your amendment.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. In fact, while I want to acknowledge that there might well be a point to be made about the educational lands and funds, what I think it does is to tell us exactly the heart of the problem which is that that exists at least as much with the underlying bill, LB 271, as it does with my amendment and I'll tell you why. The new language in the constitution says: To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law. In other words, it all stems from public purposes to the extent such property is not used for the authorized public purposes. Now what's the